



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

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TO: Members, Public Disclosure Commission

FROM: Doug Ellis
Director of Public Outreach

DATE: October 21, 2002

SUBJECT: Continuation of Rule-Making Process

The following three proposed rules are a continuation of the rule making activity undertaken at your August 27, 2002 meeting.

Amend WAC 390-16-234 Transfers of Surplus Funds. Legislative changes to RCW 42.17.095 in 1995 allowed candidates to transfer surplus funds without limit to a political party or to a caucus political committee. This rule was initially designed to clarify the disposal of surplus funds when specific limits were in place for transfers to political parties or caucus committees. The amendments also would clarify that the proportional reimbursement of joint campaign expenses is not considered a transfer of active or surplus campaign funds. The rule amendment also clarifies RCW 42.17.095(3) and (8). See attached.

Amend WAC 390-17-200 Major political party organizations. Minor changes to this rule are designed to clarify that a major political party must notify the Commission in writing once it has designated the official party county central committee and the official party legislative district committee. See attached.

Amend WAC 390-37-030 Enforcement procedures – Status of citizen complainant and others. The current rule allows a complainant or any other person to submit evidence and statements to the Commission at any time during an enforcement process, up to and including the hearing. The proposed rule would set a deadline for such submissions of five calendar days before the enforcement proceedings. The proposed rule also removes the Commission's authority to grant the complainant or any other person an opportunity to be heard in a compliance matter at the quasi-judicial hearing unless the person is called as a witness by one of the parties. See attached.

Commission Action: If approved, staff will file the CR 103 Rule-Making Order with the Code Reviser's Office and the rules would become effective 31 days after filing.